

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

\_\_\_\_\_  
In Re: \_\_\_\_\_x

Chapter 13

SPIRO & ANN MILLIARESSIS

Index No. 08-22504

\_\_\_\_\_  
\_\_\_\_\_x

**AFFIRMATION IN SUPPORT OF MOTION  
OBJECTING TO CLAIM OF AMERICA'S SERVICING COMPANY**

We, Spiro & Ann Milliaressis, the debtors herein state that we have knowledge of the following and believe it to be true.

1. This affirmation is in support of the motion objecting to the claim of AMERICA'S SERVICING COMPANY.
2. The loan from America's Servicing Company was a first mortgage for a property in Sloatsburg, NY that was surrendered. See Exhibit "A" attached hereto and made a part hereof.
3. Debtors object to the secured claim of \$384,271.63 which states on the claim that the loan is secured by real estate. See claim as Exhibit "B" attached hereto and made a part hereof.
4. As seen from the Memorandum of Law, the claim should be expunged as the property was surrendered, or reclassified as unsecured.

WHEREFORE Plaintiff respectfully request that the motion to be granted.

Dated: June 23, 2008  
Spring Valley, New York

\_\_\_\_\_  
\_\_\_\_\_/s/\_\_\_\_\_  
SPIRO & ANN MILLIARESSIS

Sworn to, and subscribed June 24, 2008 before me  
\_\_\_\_\_/s/\_\_\_\_\_  
Notary